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SUBJECT: ITALY: 2008 TIP REPORT

REF: 08 STATE 132759

This is the 2009 Trafficking in Persons report for Italy. Answers are keyed to questions in Reftel. The Embassy point of contact is Political Officer Peter Brownfeld, telephone: 39-06-4674-2054, fax: 39-06-4674-2623.

OVERVIEW OF ACTIVITIES
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¶23. A. Sources of information include government and NGO officials, research projects contracted by the government and prepared by social research organizations, government statistics and reports, international conferences, and media reports. The Ministry of Equal Opportunity promoted the creation of a national observatory on TIP in cooperation with Transcrime, an independent research center. (see 24.D.)

¶23. B. Italy is a country of destination and transit for internationally trafficked men, women and children. There is no evidence that Italy is a country of origin.

NGO and government TIP experts agree that the number of TIP victims remained stable in 2008. According to NGOs and government officials, the majority of sex workers from Eastern Europe arrive and work voluntarily, and thus cannot be classified as TIP victims. More than one third of trafficked sex workers come from Romania, according to the Italian Ministry for Equal Opportunity. Other continuing trends include a large number of women who enter the country voluntarily, a continued decline in the average age of sex workers, and an increasing number of victims trafficked for labor outside of the sex industry.

In May the government enacted a security decree which entitles mayors to adopt measures designed to limit street prostitution. These measures included barring individuals from congregating along certain streets and from dressing in provocative ways that were identified with prostitutes. Local authorities enforced such rules, especially in big cities. As a consequence, during the second half of 2008 some sex workers moved to nearby villages or to apartments and clubs. With prostitution increasingly hidden from the public eye, NGOs and independent experts maintain that abuse of sex workers is soaring and the identification of victims of trafficking is becoming more complex.

According to PARSEC, the only social research institute that collects reliable statistics on TIP, there were approximately 2,700 TIP victims in 2008. PARSEC asserted that there are approximately 25,000 sex workers (overwhelmingly foreign) working the streets, around 40 percent Romanian and 25 to 30 percent Nigerian. PARSEC estimates there are approximately 15,000 sex workers active in apartments or clubs. Approximately 5,000-6,000 sex workers move in and out of the country every year, especially in the summer. Traffickers are also moving victims more frequently within Italy, often keeping victims in major cities like Rome or Milan for only a few months at a time. Such victims are more susceptible to violence and other abuse.

On September 11, the Council of Ministers approved a draft law designed to reduce street prostitution, which penalizes both sex workers and clients and stiffens penalties for the exploitation of minors.

Minors represented 10 percent of the total number of victims. According to the Ministry of Interior, in 2008 about 400 minors came ashore in Sicily, were hosted in centers run by NGOs and then disappeared. Some might have been trafficked for labor exploitation in agriculture.

In 2007, 1,009 victims received residence permits, compared to 927 in 2006. In 2007, health care, shelter and job training services were provided to victims from Nigeria (42 percent), Romania (26 percent), the former Soviet Union (11 percent), Albania (5 percent) and other countries (16 percent).

There are no specific statistics for other trafficking victims, including forced domestic or agricultural labor for adults and trafficking in children. In general, a significant percentage of workers (10-15 percent) are hired illegally and a small percentage of them are exploited or trafficked. In 2007, labor inspectors found 140,000 undeclared workers employed by some of the 342,000 companies under scrutiny. PARSEC estimates about 500 victims of labor trafficking for work outside the sex industry. Problems with forced labor occur primarily in the agricultural sector and mostly in the southern Italy where, according to the NGO Doctors without Borders, 90 percent of foreign seasonal workers are unregistered and about two-thirds are illegally in Italy. The top five source countries for agricultural workers are Poland, Romania, Pakistan, Albania and the Ivory Coast. The Ministry of Equal Opportunity in cooperation with the governments of Poland, Romania and Portugal and the International Labor Organization promoted a study on labor exploitation and best practice of assistance to victims. Training sessions for labor inspectors will follow in 2009.

In some cases, prosecutors are not able to prove the crime of trafficking in persons for lack of evidence and charge offenders with other crimes, such as abetting illegal immigration. In most cases, laborers receive some payment for their work, though they generally cannot refuse to work. There are also reports of smuggled immigrants who enter Italy freely to obtain seasonal employment and become trapped after exploiters confiscate their passports.

In the "Terra Promessa" operation in 2006, a Carabinieri unit freed 113 Polish tomato pickers in Puglia during raids that revealed prison-like labor camp conditions. Italian and Polish authorities exposed an international criminal gang which smuggled an estimated 1,000 Polish workers into Italy. The 19 individuals arrested and tried were sentenced in 2007 and 2008 to four to ten years' imprisonment.

123. C. Most children and women are trafficked into commercial sex slavery. Exploiters often seize their documents and most of their earnings. Victims are segregated and obliged to work long hours and move frequently to other cities or abroad. Men are trafficked into low-paid hard jobs in agriculture or in the service sector and are subject to debt bondage and slavery.

Social workers reported that in big cities there were isolated cases of male children rented out to clients who pay in advance a fee to traffickers.

Chinese men and women are exploited in Italy as forced labor. They usually arrive in Italy via Russia into Greece where they board small ships that also carry drugs into Italy. Chinese women are separated during these trips and usually end up performing forced labor in Milan and Florence.

Polish victims are frequently enticed via the Internet to Italy with promises of legitimate employment and end up as forced laborers in agricultural fields in the South.

23.D. Persons trafficked to Italy primarily come from Nigeria, Romania, Bulgaria, Moldova, Ukraine, and Albania. Other countries of origin include Russia, China, Uzbekistan, East and North African countries and South America (particularly Ecuador, Peru, Columbia, Brazil, and Argentina). Most trafficked Nigerians enter northern Italy legally, via air, from other EU countries. Their estimated cost of travel is approximately 6,000 euro. Victims from North and East Africa arrive illegally, via sea routes, especially from Libya, where the journey costs approximately 2,500 euro. Trafficked children work primarily in the sex industry and as beggars.

In 2008 36,900 immigrants came ashore illegally from African countries, a 75 percent increase compared to 2007. According to the UN High Commissioner for Refugees (UNHCR), about 75 percent of them requested asylum or refugee status. Hunger, wars and lack of jobs drove these immigrants to leave their countries. They were allowed to stay in temporary centers around the country and wait for a final decision. Some, who fled the shelters, were at risk of being trafficked for sexual or labor exploitation. In January, the Interior Minister announced that foreigners who arrive in the island of Lampedusa will be repatriated after being identified. The UNHCR, along with the Red Cross, Amnesty International and Save the Children called for better measures to ascertain immigrants' nationalities.

PARSEC estimates that 30 percent of women involved in the sex trade are Nigerian. The vast majority of victims of trafficking in general are Romanian, Bulgarian, Ukrainian and Moldovan. Data on the origin of victims who receive temporary resident permits and services provide a general sketch of the trafficking situation.

As the majority of trafficked victims in Italy are women and female children forced into prostitution, they face all the attendant risks of unsafe or unprotected sex. The majority of Nigerian women arrive willingly, often unaware of actual working conditions. Eastern Europeans often arrive in search of legitimate jobs but find themselves in debt and exploited by the co-nationals who loaned them money for the trip. Traffickers enforce compliance by seizing the victims' documents and subjecting them to imprisonment, beatings and rape. Increasingly, Eastern European sex workers are arriving and working voluntarily, especially those from Romania and Bulgaria.

On January 31, police in cooperation with local authorities and NGOs, arrested two Nigerians suspected of having illegally smuggled some women and a minor from Nigeria and then exploited them as sex workers in Rome and Latina.

Nigerian minors are subject to voodoo rituals, and police report that some Nigerian parents sell their children into slavery. The number of sex workers working on the streets is decreasing while the number working in private residences where it is more difficult to monitor or to assist victims is growing.

23. E. Victims from the Balkans and Eastern Europe are controlled by organized crime groups, frequently from Romania and Albania. Eastern European young girls are generally forced into prostitution by Albanian clans. Although Albanian groups continue to participate heavily in trafficking in Italy, their role as middlemen has diminished as Romanian, Moldovan, Bulgarian and Ukrainian crime organizations traffic in their co-nationals. Increasing numbers of women from Eastern Europe are involved in the recruitment and exploitation of women from their home countries.

According to NGO and police sources, individual unaffiliated smugglers from Eastern Europe often traffic

women one at a time, replacing some of the larger criminal organizations that were easier to target because of their size. Each trafficker usually has the support of one or two accomplices and exploits three or four victims. These women from Romania and Bulgaria do not need a residence permit in order to stay in Italy and frequently do not cooperate with police investigators.

On February 11, police arrested three Romanians and an Italian on charges of having trafficked, raped and abused a Romanian girl, who they had convinced to leave her home to move to Sicily with the prospect of employment as a domestic worker. The Romanians held her for 20 days, seized her passport, and raped her. Then the Italian men abused and exploited her as a sex worker in the province of Palermo.

Victims are more reluctant to report crimes and to accept assistance, based on Article 18 (see 26.A and 27.A) because the smuggler is more likely to be someone she knows from her country of origin. Italian analysts expect a decrease in sex workers coming from Eastern Europe as a result of improved economic conditions in Eastern Europe, especially countries now in the EU.

According to government and NGO sources, organized traffickers are increasingly sophisticated in the way they routinely move victims between cities and regions within Italy, as well as between European countries. Trafficking organizations mostly use three north-south axes (focused along the Adriatic and Tyrrhenian coasts) and three east-west axes to move their victims.

Italian organized crime has not traditionally been involved in trafficking, except for providing logistical support and lodging. Routes and operations tend to follow established methods and organizations for moving illegal drugs, weapons and other contraband. Sex workers coming from southern China work also in massage and beauty parlors frequented by Italians. Although their numbers are growing, the authorities do not consider the majority of these Chinese women to be victims. According to PARSEC, Chinese sex workers coming from northern areas of their home country in most cases work on the streets and are more vulnerable. Nigerian sex workers work individually or are controlled by a Nigerian madam, usually a formerly trafficked person, who holds the lien on the loan paid by the victim. Victims from Africa and the Middle East usually are controlled by small, freelance operators who generally smuggle individuals for a one-time fee.

¶24. A. The government recognizes the problem and has devoted significant resources to combating trafficking in persons. In 2008 the Ministry of Equal Opportunity launched a study on trafficking for labor exploitation.

¶24. B. In 1998, Italy established an inter-agency committee to coordinate the fight against trafficking. Government agencies involved include the Ministries of Interior, Equal Opportunity, Justice, Labor Social Affairs, Family, and Foreign Affairs, as well as an anti-Mafia prosecution unit. Regional and municipal governments are also actively engaged in efforts to combat trafficking, often with funding from the central government.

¶24. C. In May, the government adopted new measures designed to combat illegal immigration, smuggling and trafficking, including the deployment of about 3,000 troops and extra resources for law enforcement agencies. Funding made available to help victims, about 10 million euro, by national, regional and local authorities is adequate, according to independent observers.

¶24. D. Italy does not systematically evaluate the results of its anti-trafficking policy. In 2008, the Ministry for Equal Opportunity awarded a grant to Transcrime, an independent research center that is implementing an appraisal system at both national and regional levels. In

2007, the Ministry for Equal Opportunity collected entry and exit records of assisted victims to evaluate the effectiveness of assistance programs, but that data is not yet available.

Various government agencies collect national data on TIP arrests and prosecution, victim assistance programs, number of illegal immigrants intercepted, issuance of temporary residence permits, and calls to a victim hotline. Most national funding is disbursed through grants to NGOs. Regional and local governments also fund programs. However, there is no central mechanism for monitoring these activities.

INVESTIGATION AND PROSECUTION OF TRAFFICKERS

¶25. A. The most recent anti-trafficking law was enacted in 2003. It specifically prohibits trafficking in persons; trafficking previously had been prosecuted using other sections of the Penal Code. The law provides for increased sentences of 8-20 years imprisonment for trafficking in persons and for enslavement. For convictions in which the victims were minors destined for prostitution, sentences are increased by one-third to one-half (to 12-30 years). The law applies special anti-Mafia prison conditions to traffickers designed to limit criminals' ability to continue operations from jail. The law also mandates strong penalties (4-12 years imprisonment; fines up to 15,000 euro for each alien smuggled) to combat alien smuggling and human trafficking.

¶25. B. See 25.A.

¶25. C. Labor trafficking is covered under the anti-trafficking law.

¶25. D. The penalty for rape or forcible sexual assault is up to 12 years imprisonment.

¶25. E. Italy's anti-TIP law does not require the government to maintain statistics on prosecution; however, the Ministry of Justice provides national data on investigations, arrests, prosecutions and convictions.

Investigations and arrests: According to the Ministry of Justice, in 2007, authorities investigated 2,296 people for trafficking and arrested 513. Trial courts convicted 178 people and appeal courts convicted 104.

Prosecutors are often able to collect evidence and charge defendants with other crimes, such as participation in criminal association to exploit prostitution, abetting prostitution, illegal immigration, etc. The Ministry of Interior reported a 17 percent increase in the number of people accused of exploitation of prostitution between 2004 and 2006.

¶25. F. The Ministries of Interior and Defense include specialized training on identification of victims and investigation of trafficking and exploitation in the regular curriculum for law enforcement agencies. In 2008, the GOI implemented a "train the trainers" program for magistrates, law enforcement agents and NGOs who work with victims of trafficking funded by the European Union.

The Ministry for Equal Opportunity distributed a booklet outlining the provisions of the anti-trafficking programs and participated in training programs for magistrates and police officers. The Ministry of Interior regularly updates a book for law enforcement officers on TIP laws and best practices for assisting victims.

¶25. G. The government cooperates with other governments in investigating and prosecuting trafficking cases. In 2008, the government signed an agreement with Libyan authorities aimed at fighting illegal immigration, smuggling and trafficking. In 2004, the anti-Mafia unit of the MOJ signed

an agreement with the Nigerian MOJ to improve the exchange of information on investigations under the aegis of the United Nations Interregional Crime and Justice Institute, Italy actively participates in EU-wide initiatives to share information on law enforcement, especially cross-border crimes, but differences in legal systems, law-enforcement organization, and criminal statutes impeded cooperation.

In May, Italian police worked with their counterparts in Greece, and Bulgaria to arrest six Nigerians who established a criminal organization that had trafficked about 100 Nigerian girls in the three countries. In 2006-07, the Italian Central Operations Division of the Ministry of Interior's Anti-Crime Directorate cooperated with colleagues from Romania to conduct "Operation Spartacus," aimed at stopping trafficking in persons and illegal immigration.

¶25. H. Italy has not been asked to extradite people charged with trafficking in other countries, nor has it had any cases requiring extradition of one of its own nationals charged with a trafficking offense. The 2003 law provides a new legal basis for such extraditions.

¶25. I. There is no evidence to indicate government involvement in, or tolerance of, trafficking on a local or institutional level. However from time to time there are media reports on cases of alleged visa fraud. In September 2007, an officer of the Italian consulate in Kiev was arrested and accused of abetting illegal immigration along with some other people accused of trafficking in young girls exploited as sex workers in clubs and discos.

¶25. J. See 25. I.

¶25. K. Prostitution is legal in Italy. The security package enacted in May and the implementing regulations approved in August entitled mayors to adopt measures to prevent and combat offences against public decency, including street prostitution and begging. Major cities implemented zoning by-laws and fined clients who in violation with such regulations negotiate with sex workers on the streets. In August, authorities of some cities started enforcing these new rules. A law approved in 2006 raised the legal minimum age for a prostitute from 15 to 18 years of age. Prostitution is not formally regulated. Sex workers do not face criminal charges for their activities, but authorities use other administrative regulations (i.e., loitering and traffic laws) to discourage their activities. The law criminalizes organized prostitution. Brothel owners/operators and pimps face criminal charges.

¶25. L. There are no reports of involvement of troops and social workers in trafficking related cases. Soldiers deployed abroad receive human rights training including sessions on trafficking.

¶25. M. The NGO ECPAT Italy estimated that 80,000 Italian men travel to Kenya, Thailand, Brazil, Latin American countries, and more recently to the Czech Republic for sex tourism every year. According to a 2006 UN Children's Fund (UNICEF) report, 18 percent of clients of sex workers in Kenya were Italian.

Under current law, domestic courts may try citizens, and permanent residents who engage in sex tourism, including outside the country, even if the offense is not a crime in the country in which it occurred. The country has a code of conduct for tourist agencies to help combat sex tourism. In November, the Undersecretary for Tourism launched a program to fight sex tourism including: certificates of Responsible Tourism issued to networks of travel agencies, tour operators and airports which reach out to clients to try to prevent crimes committed abroad, and a communication campaign to promote awareness among potential clients.

On May 28, a man charged with sex tourism committed in Thailand and Cambodia, was sentenced to 14 years'

imprisonment. On March 6 an Italian tourist was arrested in Cambodia and accused of abusing six minors.

On December 4, a police operation called "White Souls" led to five arrests and investigations of 36 men on charges of child pornography and the seizure of hundreds of videos in 14 regions. Investigators believe that they also took part in sex tourism.

In January, ECPAT Italy which assists 1,000 sexually abused children in Burma, inaugurated in Laos the first rehabilitation center for up to 80 underage victims of sexual exploitation. In June, the Ministry of Foreign Affairs and ECPAT Italy organized a training course for diplomats on preventing sex tourism and on domestic and international criminal law.

The law punishes with imprisonment and/or stiff fines crimes relating to child prostitution and child pornography, even when the offense is committed abroad. This law also applies to Italian military and police participating in overseas operations.

PROTECTION OF AND ASSISTANCE TO VICTIMS

126. A. The government protects victims and witnesses. Victims are enrolled in programs run by NGOs or religious communities that provide shelter and support.

126. B. Article 13 of the Law 228/2003 provides for three to six months assistance to victims while article 18 of Law 286/1998 guarantees shelter benefits for another twelve months and reintegration assistance. Moreover, victims usually obtain temporary residence/work permits that can lead to permanent residency. In fact adults who are identified as trafficking victims are granted a six-month residency permit, renewable if the victim finds employment or has enrolled in a training program, and are sheltered in special facilities. Minors receive an automatic residence permit until they are 18, and they are hosted in separate centers. NGOs run these services with funding provided by national, regional and local authorities.

126. C. In 2007, 1,009 victims obtained temporary residence visas. The government provides legal and medical assistance through NGOs as soon a victim has been identified. Assistance programs are carried out mainly in larger cities, such as Rome, Milan, Turin, Genoa, Florence and Naples, where the majority of victims are concentrated.

In 2007, NGOs assisted approximately 9,300 victims. Services included health care (55 percent), legal advice (22 percent), psychological support (12 percent), social counseling (10 percent) and other services (1 percent).

In 2007, under Article 18, about 2,000 victims, including 198 minors, entered social protection programs. Of the victims placed in social protection programs, approximately 37 percent were from Nigeria, 23 percent were from Romania, about 4 percent were from Morocco, Senegal, and Rwanda combined, another 4 percent were from Moldova, and the rest came from various countries in Central and Eastern Europe, Central Asia, and South America. Of the 190 underage girls placed in social protection programs, 74 percent were from Romania, and 13 percent from Nigeria.

The majority of victims were housed in shelters, while others lived independently with support. Other funded projects included reintegration, assisted repatriation, victims' assistance and job training programs. NGOs, with government funding, provided literacy courses for 588 people and vocational training for 313; helped 436 victims find temporary employment and another 907 individuals find permanent jobs.

126. D. See above. Almost all assisted victims are foreign nationals.

¶26. E. Under article 13 of the Law 228/2003 the Ministry of Equal Opportunity provides three to six months assistance to victims. Under article 18 of Law 286/1998 guarantees shelter benefits for another twelve months and reintegration assistance.

¶26. F. Article 18 provides for the identification and transfer of victims placed under protective custody to NGOs that provide transition, reintegration and/or repatriation services to victims. NGOs that receive victims are registered by the Ministry of Labor and Welfare and monitored by the Ministry for Equal Opportunity.

The Ministry of Equal Opportunity promoted a study on labor trafficking that was coordinated by an independent expert, with the aim of developing proposals on the identification of and assistance for victims.

¶26. G. In 2007, NGOs, with the support of the Ministry of Equal Opportunity, assisted 1,974 people; 1,009 obtained a residence permit as victims of trafficking; 588 were enrolled in educational institutions; 313 were enrolled in training courses, and 907 received job offers.

¶26. H. There is no standard mechanism for screening for victims among people involved in the sex trade. The Ministry of Justice has proposed to other ministries and NGOs to agree on a memorandum of understanding regarding common guidelines on the identification of victims.

In 2007, the Ministry of Interior strengthened identification procedures used by law enforcement, especially for illegal immigrants arriving from Africa, as recommended by an independent commission established in ¶2006.

In 2007, the Ministry of Equal Opportunity asked NGOs to contact workers in the sex industry and provide advice on the services available. This experimental initiative was implemented in Rome, Milan, Turin, Naples, Venice, Bologna and Palermo. In the same cities, social mediators conducted a public awareness campaign on prostitution and trafficking.

¶26. I. Victims in Italy usually do not face prosecution for other laws they may have broken if they file a complaint against a trafficker.

¶26. J. The government encourages victims to assist in the investigation and prosecution of trafficking through the offer of a temporary residence permit. Italian law does not allow victims to seek redress or compensation through civil court proceedings. A victim who is a material witness in a court case against a former employer is allowed to obtain other employment. Under a victim restitution program monitored by the International Organization for Migration, 81 victims were repatriated in 2008. These victims were given 500 euro by the Government for repatriation, up to 1,600 euro for resettlement in their home country, and reintegration assistance for six months.

¶26. K. The Ministry of Interior trains police officers in victim identification and victim assistance. The Ministry of Equal Opportunity promotes training initiatives and an exchange of best practices for experts and social workers every three months. Special training programs were implemented to improve operational capabilities in southern regions. Because Italian citizens generally are not trafficking victims, Italy does not provide training to its embassies and consulates and does not need to provide assistance to repatriated nationals.

¶26. L. Italian nationals generally are not victims of trafficking.

¶26. M. There are over 200 domestic and international NGOs in Italy that work on the trafficking issue. The most

notable include:

(a) PARSEC. This is a social research institute that collects the most reliable data on trafficking in Italy. It also operates several mobile assistance units and works closely with local governments.

(b) On The Road Association. Located in the Marche, Abruzzo, and Molise regions, it provides legal, medical, social, and psychological assistance through its mobile units, shelters and safe houses. It also has an employment program that provides victims with jobs and pays them for their work.

(c) CARITAS. This is a large lay Catholic association that works with the needy in numerous shelters throughout Italy. It collects statistics on and works with immigrant communities providing food, shelter and assistance.

(d) ECPAT (End Child Prostitution, Pornography and Trafficking) and Save the Children. Both work with other NGOs to ensure that police treat juvenile sex workers as trafficking victims, not criminals.

(e) Gruppo Abele and IROKE in Turin, the Orlando Association in Bologna, and Progetto Arcobaleno in Florence also have multiple projects to assist trafficking victims.

PREVENTION

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27.A. The Ministry for Equal Opportunity has the lead in funding public awareness programs. NGOs continue to distribute materials updated on a regular basis, including brochures, posters, bumper stickers and TV/radio ads providing information and assistance to victims. A new ad campaign started in 2007. Equal Opportunity also established a toll-free hot line in 2000 to provide information and assistance to victims. In 2008, the hotline received almost 16,000 calls, 25 percent of which were relevant to the hotline's intended purpose.

In 2007, the Ministry for Equal Opportunity identified 14 focal points nationwide to implement public awareness campaigns for informing victims of protection programs and to solicit citizens to report trafficking cases. Social workers started calling sex workers and other potential victims to provide information about assistance programs.

The Ministry of Equal Opportunity and some regional administrations completed two international projects designed to improve victims' assistance in Romania and Nigeria. In July, the Ministry signed an agreement with Romanian authorities aimed at promoting common initiatives to reintegrate victims in their local communities. In 2008, the Ministry of Interior implemented an outreach/information campaign in Albania and Greece targeted at high school students and local authorities. The Ministry of Interior also distributes a manual for law

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